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AN ACT

RELATING TO HEALTH CARE; ALLOWING FACILITY AND HEALTH CARE
PROVIDER RISK INSURANCE TO BE PURCHASED THROUGH THE STATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 15, Article 7 NMSA
1978 is enacted to read:

"HEALTH CARE PROVIDER RISK INSURANCE COVERAGE.--

A. As deemed necessary for the public health of
New Mexico by the secretary of health, a health care provider
may voluntarily purchase risk insurance coverage offered
pursuant to Section 15-7-3 NMSA 1978.

B. A separate account shall be maintained for the
health care provider that voluntarily elects to purchase risk
insurance coverage pursuant to Section 15-7-3 NMSA 1978.

C. For the purposes of this section, "health care
provider" means a person, corporation, organization, facility
or institution licensed or certified by this state to provide
health care or professional services as a licensed physician,
hospital, outpatient health care facility, nursing home,
intermediate care facility, post-acute health care facility,
osteopathic physician, chiropractic physician, podiatrist,
nurse anesthetist, physician assistant, dentist,
psychologist, doctor of oriental medicine, certified nurse
practitioner, registered lay midwife or certified

1 nurse-midwife.

2 D. The risk management division shall apportion to
3 a health care provider its contributions toward the purchase
4 of insurance or for the providing of coverage for any risk
5 not insured. The amount of contribution by a health care
6 provider shall be determined by the risk management division
7 and shall reflect the respective risks of a health care
8 provider. The department of finance and administration may
9 collect or transfer funds from a health care provider to
10 cover insurance or other costs, pursuant to the risk
11 management division's instructions."

12 Section 2. DELAYED REPEAL.--Section 1 of this act is
13 repealed effective July 1, 2010. _____

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